

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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SINGULARDTV, GmbH,

Plaintiff,

-against-

ZACHARY LEBEAU and KIMBERLY JACKSON,;

Defendants.  
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USDC SDNY DOCUMENT ELECTRONICALLY FILED DOC #: DATE FILED: 12/2/21
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21-CV-10130 (VEC)

ORDER MODIFYING  
TEMPORARY  
RESTRAINING ORDER

VALERIE CAPRONI, United States District Judge:

WHEREAS the Court entered an Order to Show Cause and Temporary Restraining Order (“TRO”) on December 1, 2021, Dkt. 21;

WHEREAS in that order, the Court ordered the parties to submit proposed language to include in a modified TRO that would address restoring Plaintiff access to relevant email accounts, *see id.*;

WHEREAS the parties could not agree on the relevant language, *see* Dkts. 22–24; and

WHEREAS, for reasons stated on the record at the December 1, 2021 hearing, requiring immediate restoration of access to the 10 requested email accounts is appropriate, but the Court is not persuaded that ordering immediate read-only access to Defendants’ emails, which was not raised at that hearing, is appropriate;

IT IS HEREBY ORDERED that Defendants must immediately provide, or cause to be provided, to Patrik Allenspach full and unrestricted administrative access to and control over e-mail accounts (meaning, by way of example, inboxes, sent e-mails and all other e-mail folders, folder structures, calendars or calendar entries, task lists, and/or all associated attachments and files (all together, an individual’s “E-mail Account”)) used by the following persons:

- Patrik Allenspach (Resident Signatory for SingularDTV GmbH)

- Arie Levy Cohen (former Chief Financial Officer to SingularDTV GmbH)
- Iwona Popieluch / Iwona Schwartz (former Chief Financial Officer to SingularDTV GmbH)
- Martin Trepp (former Chief Financial Officer to SingularDTV GmbH)
- Joseph Lubin (Chief Technology Officer to SingularDTV GmbH)
- Amrita Rizal (former compliance officer to SingularDTV GmbH)
- Victoria Maksheeva (former compliance officer to SingularDTV GmbH)
- Alicja Popieluch / Alicja Gniady (former accountant to SingularDTV GmbH)
- Simon Walti (former legal counsel to SingularDTV GmbH)
- Elanie Marais (former head of Human Resources to SingularDTV GmbH)

IT IS FURTHER ORDERED that Defendants shall not access nor cause nor permit others to access the email accounts belonging to Singular DTV GmbH, its employees, contractors, and former employees listed above.

IT IS FURTHER ORDERED that the parties must submit a joint letter on ECF not later than **9:00 a.m., December 3, 2021**, confirming that the required email access has been restored.

IT IS FURTHER ORDERED that the terms of the December 1, 2021, TRO, *see* Dkt. 21, remain in effect.

**SO ORDERED.**

Date: 12/2/21  
Time: 11:57 am

  
VALERIE CAPRONI  
United States District Judge